

16553. Misbranding of laxative phospho quinine capsules. U. S. v. 20 Dozen Packages of Laxative Phospho Quinine Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23459. I. S. No. 02595. S. No. 1619.)

On February 25, 1929, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 dozen packages of laxative phospho quinine capsules, remaining in the original unbroken packages at Portland, Me., consigned by Brewer & Co. (Inc.), Worcester, Mass., alleging that the article had been shipped from Worcester, Mass., on or about January 15, 1929, and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the capsules contained acetanilide, cinchona alkaloids, phenolphthalein, capsicum, gamboge, phosphates, sulphates, and starch.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (bottle label) "For La Grippe * * * Neuralgia * * * Chills, Fever and Malaria Trouble * * * One capsule every three hours until the ailment is relieved," (carton label) "For La Grippe * * * Neuralgia, Chills, Fever and Malaria Trouble," (circular) "Useful in the Treatment of * * * Grippe, Neuralgia and Malarial Troubles, Chills and Fever. * * * One capsule every three hours until the ailment is relieved * * * our capsules will be found satisfactory in its action," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 2, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16554. Misbranding of Hull's Superlative compound. U. S. v. 2½ Dozen Packages of Hull's Superlative Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23446. I. S. No. 05389. S. No. 1531.)

On February 28, 1929, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2½ dozen packages of Hull's Superlative compound remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped by the A. J. Hull Chemical Co., Findlay, Ohio, on or about October 18, 1928, and transported from the State of Ohio into the State of Indiana, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs including cinchona, a small amount of volatile oil, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "La-grippe and Tonsillitis—Take two-thirds teaspoonful every two hours for 4 or 5 times, then drop to regular dose. Rheumatism—Take two-thirds teaspoonful 3 times a day;" (carton label) "Hull's Superlative Compound * * * used as a treatment to regulate the Liver, Kidneys, and Bowels * * * We have many testimonies that Hull's Superlative Compound is a successful treatment as a Liver, Kidney, and Bowel Regulator, Indigestion, Loss of Appetite, Sick and Nervous Headaches, Colds and LaGrippe, Nervous Prostrations, St. Vitus Dance, Epileptic Fits, Paralysis, Painful Menstruation, Bad Results from the Change of Life, Children who have weak Kidneys and make trouble nights, Rheumatism, Diabetes and Dropsy;" (circular) "Hull's Superlative Compound Is Highly Recommended * * * for Indigestion, Nervous Prostration, Rheumatism, Dropsy, Inactive Liver and Kidneys, Paralysis * * * La Grippe and Tonsillitis Hull's Superlative Compound * * * compounded to proper proportion to get best results. The Medicinal qualities of these roots, barks